

### REMARKS

Claims 41-51, 53, 54, 57, 60-62, and 64-66 are pending in this application. Claims 51, 54, 57, and 60 were previously withdrawn from consideration. By this Amendment, Applicant has amended Claims 41 and 65. Applicant has amended each of independent Claims 41 and 65 so as to overcome the 35 U.S.C. §101 rejection. Applicant has also amended each of independent Claims 41 and 65 so as to more clearly distinguish the present invention, as defined by each of independent Claims 41 and 65, over the prior art. Applicant respectfully submits that the amendments to each of independent Claims 41 and 65 do not contain new matter. Applicant respectfully submits that the present invention, as defined by Claims 41-51, 53, 54, 57, 60-62, and 64-66, is patentable over the prior art.

Applicant has also deleted the Abstract Of The Disclosure and has substituted therefor the new Abstract Of The Disclosure which is attached hereto on a separate sheet. Applicant respectfully submits that the new Abstract Of The Disclosure does not contain new matter.

Based on the foregoing amendments and the following Remarks, the application is deemed to be in condition for allowance and action to that end is respectfully requested.

**I. THE 35 U.S.C. §101 REJECTION:**

The Examiner asserts that Claims 41-50, 53, 61-62, and 64-66 are rejected under 35 U.S.C. §101 "because the claimed invention is directed to non-statutory subject matter."

As noted above, Applicant has amended each of independent Claims 41 and 65 in order to overcome the 35 U.S.C. §101 rejection. In particular, Applicant has amended each of independent Claims 41 and 65 so as to tie each claim to a particular machine, namely, the "central processing computer" recited in each of independent Claims 41 and 65. In view of the foregoing amendments, Applicant respectfully submits that the present invention, as defined by Claims 41-50, 53, 61-62, and 64-66, is directed to statutory subject matter. In view of the foregoing amendments to each of independent Claims 41 and 65, withdrawal of the 35 U.S.C. §101 rejection of Claims 41-50, 53, 61-62, and 64-66 is respectfully requested.

## II. THE 35 U.S.C. §103(a) REJECTIONS:

The Examiner asserts that Claims 41-50, 53, 61-62, and 65-66 are rejected under 35 U.S.C. §103(a) as being unpatentable over Donner, et al., U.S. Patent No. 7,031,945 (Donner) in view of Gebb, U.S. Patent No. 6,067,532 (Gebb). The Examiner further asserts that Claim 64 is rejected under 35 U.S.C. §103(a) as being unpatentable over Donner in view of Gebb, and further in view of Sextro, et al. U.S. Patent Publication No. 2002/0040482 A1 (Sextro). As noted above, Applicant has amended each of independent Claims 41 and 65 so as to more clearly distinguish the present invention, as defined by each of independent Claims 41 and 65, over the prior art. Applicant respectfully submits that the amendments to each of independent Claims 41 and 65 do not contain new matter. Applicant respectfully submits that the present invention, as defined by Claims 41-51, 53, 54, 57, 60-62, and 64-66, is patentable over the prior art.

**IIA. THE PRESENT INVENTION, AS DEFINED BY CLAIMS 41-51, 53, 54, 57, 60-62, AND 64, IS PATENTABLE OVER THE PRIOR ART:**

Applicant respectfully submits that the present invention, as defined by Claims 41-51, 53, 54, 57, 60-62, and 64-66, is patentable over the prior art. Applicant respectfully submits that the present invention, as defined by independent Claim 41, is patentable over the prior art.

Applicant submits that the present invention, as defined by independent Claim 41, is patentable over Donner, Gebb, Sextro, and any combination of same. Applicant submits that Donner, Gebb, Sextro, and any combination of same, do not disclose, teach, or suggest, many of the specifically recited features of independent Claim 41 and, therefore, Donner, Gebb, Sextro, and any combination of same, do not disclose, teach, or suggest, all of the features of independent Claim 41.

Applicant respectfully submits that Donner, Gebb, Sextro, and any combination of same, do not disclose, teach, or suggest, a computer-implemented method, comprising: storing, with a central processing computer, information regarding a ticket request or a ticket option request for at least one of a ticket for a portion of an event which remains

after a start of the event and before a completion or a conclusion of the event and a ticket option for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event, wherein the ticket for a portion of the event or the ticket option for a portion of the event is derived from a ticket for an entire event, wherein the event is at least one of a game, an athletic event, a competition, a performance, a concert, and a tournament, and further wherein the event is an event which takes place at or in at least one of a stadium, an arena, a theatre, a movie theatre, a concert hall, a museum, and a performance hall, and further wherein the ticket for the entire event corresponds to a seat or seats at the at least one of a stadium, an arena, a theatre, a movie theatre, a concert hall, a museum, and a performance hall, for the event, wherein the ticket for the entire event is purchased from a ticket issuer by a first individual having a ticket account, and further wherein the ticket for a portion of the event or the ticket option for a portion of the event is purchased by or used by a second individual during the event and before the completion or the conclusion of the event with a payment for a purchase or a use of the ticket for a portion of the event, or a payment for a purchase or a use of the ticket option for a portion of the event, being made to the ticket account of the

first individual or a ticket account of a third individual; receiving and storing, with the central processing computer, information regarding an available ticket for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event either prior to a start or a completion or a conclusion of the event or when the first individual or the third individual is leaving a venue of the event or leaving the event during the event and prior to a completion or a conclusion of the event, wherein the first individual or the third individual initiates or establishes a communication link with the central processing computer using a first communication device, and further wherein the information regarding an available ticket for a portion of an event is transmitted from the first communication device and is received by the central processing computer after the communication link is initiated or established; processing, with the central processing computer, the information regarding a ticket request or a ticket option request for at least one of a ticket for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event and a ticket option for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event, wherein the central processing computer processes the information regarding a

ticket request or a ticket option request using the information regarding an available ticket; generating, with the central processing computer, at least one of a ticket availability message and a ticket option availability message, wherein the at least one of a ticket availability message and a ticket option availability message contains information regarding at least one of a ticket for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event and a ticket option for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event, wherein the at least one of a ticket availability message and a ticket option availability message is generated before a completion or a conclusion of the event; and transmitting, from the central processing computer, the at least one of a ticket availability message and a ticket option availability message to a second communication device associated with or used by the second individual or a fourth individual, wherein the at least one of a ticket availability message and a ticket option availability message is transmitted to the second communication device before a completion or a conclusion of the event, all of which features are specifically recited features of independent Claim 41.

Applicant submits that Donner, Gebb, Sextro, and any combination of same, do not disclose, teach, or suggest, receiving and storing, with the central processing computer, information regarding an available ticket for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event either prior to a start or a completion or a conclusion of the event or when the first individual or the third individual is leaving a venue of the event or leaving the event during the event and prior to a completion or a conclusion of the event, wherein the first individual or the third individual initiates or establishes a communication link with the central processing computer using a first communication device, and further wherein the information regarding an available ticket for a portion of an event is transmitted from the first communication device and is received by the central processing computer after the communication link is initiated or established.

Applicant submits that Donner, Gebb, Sextro, and any combination of same, do not disclose, teach, or suggest, the recited method, wherein the first individual or the third individual initiates or establishes a communication link with the central processing computer using a first communication device, and further wherein the information regarding an



available ticket for a portion of an event is transmitted from the first communication device and is received by the central processing computer after the communication link is initiated or established.

Applicant further submits that Donner, Gebb, Sextro, and any combination of same, do not disclose, teach, or suggest, processing, with the central processing computer, the information regarding a ticket request or a ticket option request for at least one of a ticket for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event and a ticket option for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event, wherein the central processing computer processes the information regarding a ticket request or a ticket option request using the information regarding an available ticket; generating, with the central processing computer, at least one of a ticket availability message and a ticket option availability message, wherein the at least one of a ticket availability message and a ticket option availability message contains information regarding at least one of a ticket for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event and a

ticket option for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event, wherein the at least one of a ticket availability message and a ticket option availability message is generated before a completion or a conclusion of the event; and transmitting, from the central processing computer, the at least one of a ticket availability message and a ticket option availability message to a second communication device associated with or used by the second individual or a fourth individual, wherein the at least one of a ticket availability message and a ticket option availability message is transmitted to the second communication device before a completion or a conclusion of the event.

In view of the foregoing, Applicant respectfully submits that Donner, Gebb, Sextro, and any combination of same, do not disclose, teach, or suggest, many of the specifically recited features of independent Claim 41 and, therefore, Donner, Gebb, Sextro, and any combination of same, do not disclose, teach, or suggest, all of the features of independent Claim 41.

In view of the foregoing, Applicant respectfully

submits that the present invention, as defined by independent Claim 41, is patentable over Donner, Gebb, Sextro, and any combination of same. In view of the above, Applicant respectfully submits that the present invention, as defined by independent Claim 41, is patentable over the prior art. Allowance of independent Claim 41 is, therefore, respectfully requested.

Applicant further submits that Claims 42-51, 53, 54, 57, 60-62, and 64, which Claims depend either directly or indirectly from independent Claim 41, so as to include all of the limitations of independent Claim 41, are also patentable over the prior art as said Claims 42-51, 53, 54, 57, 60-62, and 64, depend from allowable subject matter.

Allowance of pending Claims 41-51, 53, 54, 57, 60-62, and 64, is, therefore, respectfully requested.

**IIB. THE PRESENT INVENTION, AS DEFINED BY CLAIMS 65 AND 66, IS  
PATENTABLE OVER THE PRIOR ART:**

Applicant respectfully submits that the present invention, as defined by Claims 65 and 66, is patentable over the prior art. Applicant respectfully submits that the present invention, as defined by independent Claim 65, is patentable over the prior art.

Applicant submits that the present invention, as defined by independent Claim 65, is patentable over Donner, Gebb, Sextro, and any combination of same. Applicant submits that Donner, Gebb, Sextro, and any combination of same, do not disclose, teach, or suggest, many of the specifically recited features of independent Claim 65 and, therefore, Donner, Gebb, Sextro, and any combination of same, do not disclose, teach, or suggest, all of the features of independent Claim 65.

Applicant respectfully submits that Donner, Gebb, Sextro, and any combination of same, do not disclose, teach, or suggest, a computer-implemented method, comprising: receiving and storing, with a central processing computer, information regarding a ticket request or a ticket option request for at least one of a ticket for a portion of an event

which remains after a start of the event and before a completion or a conclusion of the event and a ticket option for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event, wherein the ticket for a portion of the event or the ticket option for a portion of the event is derived from a ticket for an entire event, wherein the event is at least one of a game, an athletic event, a competition, a performance, a concert, and a tournament, and further wherein the event is an event which takes place at or in at least one of a stadium, an arena, a theatre, a movie theatre, a concert hall, a museum, and a performance hall, and further wherein the ticket for the entire event corresponds to a seat or seats at the at least one of a stadium, an arena, a theatre, a movie theatre, a concert hall, a museum, and a performance hall, for the event, wherein the ticket for the entire event is purchased from a ticket issuer by a first individual having a ticket account, and further wherein the ticket for a portion of the event or the ticket option for a portion of the event is purchased by or used by a second individual during the event and before the completion or the conclusion of the event with a payment for a purchase or a use of the ticket for a portion of the event, or a payment for a purchase or a use of the ticket option for a

portion of the event, being made to the ticket account of the first individual or a ticket account of a third individual; receiving and storing, with the central processing computer, information regarding an available ticket for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event when the first individual or the third individual is leaving a venue of the event or leaving the event during the event and prior to a completion or a conclusion of the event, wherein the first individual or the third individual initiates or establishes a communication link with the central processing computer using a first communication device, and further wherein the information regarding an available ticket for a portion of an event is transmitted from a first communication device and is received by the central processing computer after the communication link is initiated or established; processing, with the central processing computer, the information regarding a ticket request or a ticket option request for at least one of a ticket for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event and a ticket option for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event, wherein the central processing computer processes the information regarding a

ticket request or a ticket option request using the information regarding an available ticket; generating, with the central processing computer, at least one of a ticket availability message and a ticket option availability message, wherein the at least one of a ticket availability message and a ticket option availability message contains information regarding at least one of a ticket for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event and a ticket option for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event, wherein the at least one of a ticket availability message and a ticket option availability message is generated before a completion or a conclusion of the event; and transmitting, from the central processing computer, the at least one of a ticket availability message and a ticket option availability message to a second communication device associated with or used by the second individual or a fourth individual, wherein the at least one of a ticket availability message and a ticket option availability message is transmitted to the second communication device before a completion or a conclusion of the event, all of which features are specifically recited features of independent Claim 65.

Applicant submits that Donner, Gebb, Sextro, and any combination of same, do not disclose, teach, or suggest, receiving and storing, with the central processing computer, information regarding an available ticket for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event when the first individual or the third individual is leaving a venue of the event or leaving the event during the event and prior to a completion or a conclusion of the event, wherein the first individual or the third individual initiates or establishes a communication link with the central processing computer using a first communication device, and further wherein the information regarding an available ticket for a portion of an event is transmitted from a first communication device and is received by the central processing computer after the communication link is initiated or established.

Applicant submits that Donner, Gebb, Sextro, and any combination of same, do not disclose, teach, or suggest, receiving and storing, with the central processing computer, information regarding an available ticket for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event when the first individual or the third individual is leaving a venue of the



event or leaving the event during the event and prior to a completion or a conclusion of the event, wherein the first individual or the third individual initiates or establishes a communication link with the central processing computer using a first communication device, and further wherein the information regarding an available ticket for a portion of an event is transmitted from a first communication device and is received by the central processing computer after the communication link is initiated or established.

Applicant submits that Donner, Gebb, Sextro, and any combination of same, do not disclose, teach, or suggest, the recited method, wherein the first individual or the third individual initiates or establishes a communication link with the central processing computer using a first communication device, and further wherein the information regarding an available ticket for a portion of an event is transmitted from a first communication device and is received by the central processing computer after the communication link is initiated or established.

Applicant submits that Donner, Gebb, Sextro, and any combination of same, do not disclose, teach, or suggest, processing, with the central processing computer, the

information regarding a ticket request or a ticket option request for at least one of a ticket for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event and a ticket option for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event, wherein the central processing computer processes the information regarding a ticket request or a ticket option request using the information regarding an available ticket; generating, with the central processing computer, at least one of a ticket availability message and a ticket option availability message, wherein the at least one of a ticket availability message and a ticket option availability message contains information regarding at least one of a ticket for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event and a ticket option for a portion of an event which remains after a start of the event and before a completion or a conclusion of the event, wherein the at least one of a ticket availability message and a ticket option availability message is generated before a completion or a conclusion of the event; and transmitting, from the central processing computer, the at least one of a ticket availability message and a ticket option availability message to a second communication device

associated with or used by the second individual or a fourth individual, wherein the at least one of a ticket availability message and a ticket option availability message is transmitted to the second communication device before a completion or a conclusion of the event.

In view of the foregoing, Applicant respectfully submits that Donner, Gebb, Sextro, and any combination of same, do not disclose, teach, or suggest, many of the specifically recited features of independent Claim 65 and, therefore, Donner, Gebb, Sextro, and any combination of same, do not disclose, teach, or suggest, all of the features of independent Claim 65.

In view of the foregoing, Applicant respectfully submits that the present invention, as defined by independent Claim 65, is patentable over Donner, Gebb, Sextro, and any combination of same. In view of the above, Applicant respectfully submits that the present invention, as defined by independent Claim 65, is patentable over the prior art. Allowance of independent Claim 65 is, therefore, respectfully requested.


Applicant further submits that Claim 66, which Claim depends directly from independent Claim 65, so as to include all of the limitations of independent Claim 65, is also patentable over the prior art as said Claim 66 depends from allowable subject matter.

Allowance of pending Claims 65 and 66 is, therefore, respectfully requested.

### III. CONCLUSION:

In view of the foregoing, the application is deemed to be in condition for allowance and action to that end is respectfully requested. Allowance of pending Claims 41-51, 53, 54, 57, 60-62, and 64-66 is, therefore, respectfully requested.

Respectfully Submitted,

  
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Encls.: - Abstract of the Disclosure  
- Return Receipt Postcard

August 31, 2009  
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